

**GREENSBORO ADVISORY COMMISSION ON TREES  
REGULAR MEETING  
JANUARY 6, 2010**

The regular meeting of the Greensboro Advisory Commission on Trees was held on Wednesday, January 6, 2010 at 3:00 p.m. in the Council Chambers, 2<sup>nd</sup> floor, Melvin Municipal Office Building, Greensboro, North Carolina. Members present were: Chair Tim Knowles, Michael Hatcher, Elaine Stover, Bret Robertson, Marguerite Suggs, Frank Forde, Dr. Kenneth Snowden, and Brad Deaton. Also in attendance was Greensboro Urban Forester, Mike Cusimano.

**ACKNOWLEDGEMENT OF ABSENCES:**

Mr. Cusimano stated that the absence of Mr. Truby was excused.

**APPROVAL OF AUGUST 5, 2009 MINUTES:**

Mr. Hatcher moved to approve the minutes of the August 5, 2009 meeting as written, seconded by Dr. Snowden. The Commission voted 8-0 in favor of the motion. (Ayes: Knowles, Hatcher, Stover, Robertson, Suggs, Forde, Deaton, Snowden. Nays: None.)

**APPROVAL OF DECEMBER 2, 2009 MINUTES:**

Mr. Forde moved to approve the minutes of the December 2, 2009 meeting as written, seconded by Mr. Hatcher. The Commission voted 8-0 in favor of the motion. (Ayes: Knowles, Hatcher, Stover, Robertson, Suggs, Forde, Deaton, Snowden. Nays: None.)

**DISCUSSION OF LAND DEVELOPMENT ORDINANCE (LDO) UPDATE:**

City Council plans to meet on February 9, 2010 in Chambers to hear a discussion of the LDO update. Mr. Cusimano invited members to share their thoughts on the update.

Dr. Snowden referred to the e-mail he sent to members to elicit a discussion of the update. He questioned process relating to the CAT team, negative feedback from the public on provision 30-1-2, and the overall effectiveness of the Ordinance.

Mr. Cusimano clarified that the normal process was followed relative to CAT team decisions and he confirmed that the final wording was a compromise agreement. He reviewed the series of events leading up to the compromise language contained in the draft and commented that the issue of having single family development subject to the Landscape Ordinance has been a long-standing contention within the City and has been exempted from both the Landscape Ordinance and the Tree Ordinance.

Mr. Cusimano also discussed the effectiveness of provision 30-1-2 citing polarization on both sides of the argument. He commented that planting one tree per yard can be cost effective and that maintaining the tree after it is planted or saved is of great importance for effectiveness. Commissioners discussed developer and homeowner responsibility for tree maintenance along with resulting enforcement issues.

Dr. Snowden stated his opinion that this policy would be hard to enforce and would create costs without a lot of benefits. It was suggested that if the Commission felt the provision was ineffective and that single family develop needed to do more, the provision should either be deleted out or an alternative should be recommended to Council for consideration.

Keith Francies, 3610 Dogwood Drive, served on an earlier subcommittee appointed to study the issue of putting landscaping requirements into single family in the LDO process. He recalled options proposed in the document created by the committee to meet requirements. Mr. Cusimano commented that the document could be reviewed as a post-LDO action to determine if it merits being sent to City Council. He offered to e-mail a copy of the document to members for their review.

Mr. Robertson recommended that instead of requiring one tree per property, the benchmark should be three trees. He also suggested that the Ordinance should state that the trees should be in existence and maintained for the lifetime of the property instead of stating that they should be maintained for one year.

Chair Knowles commented that these are clearly landscaping requirements and not tree conservation; the intent of the tree required on each lot could be that of a street tree; there was no process for enforcement; lot size could potentially be a problem; and this should not be eliminated because it has benefit down the road. He pointed out that commercial landscaping has landscaping and tree conservation and therefore, single family landscaping could also have landscaping and tree conservation in the future.

Mr. Cusimano agreed with the aesthetic value of having trees in the streetscape. He added that a strategy should be developed to finance and improve the enforcement policy.

Dr. Snowden expressed his concern that this could become a nuisance ordinance between neighbors and enforcement would be demanded. He commented that this could change the general approach to current tree conservation and this ordinance might not be in the community's long-term interest to find a sensible, balanced approach to trees.

Commissioners discussed the concept of having street trees, tree planting easements, maintenance requirements, ordinances in other cities, maintenance and enforcement, and planting live trees per frontage and not per house. Chair Knowles commented that since this is now landscaping, it should be treated more as a streetscape to create a canopy-lined street to shade driveways and streets in new developments. Dr. Snowden agreed that this approach would result in more consistency in the community.

There was a lengthy discussion and Commissioners reviewed their options for making a recommendation to City Council along with possible rewording of the suggestions.

Chair Knowles moved that under **Section 30-10-2** the wording "single family and two family landscaping requirements" should be changed to "single family and two family street tree requirements"; under **30-10-2.2** it should say "required street trees"; under **30-10-2.3** the wording "canopy tree location" should be changed to "street tree location", "front building line" should be changed to "the minimum front building setback line and the street"; and under **30-10-2.6** the words "maintenance responsibility" should remain but take the entire paragraph out and reference 30-10-5.12, seconded by Dr. Snowden.

Dr. Snowden made a friendly amendment under **Section 30-10-2** to keep the section title the same but change **30-10-2.2** and **30-10-2.3** along with the change in language suggested by Chair Knowles on the minimum building setback and the maintenance section.

Dr. Snowden made a second friendly amendment to recommend to City Council that the Advisory Commission on Trees has a concern that single family, two family, and multifamily homes (8 units or fewer) remain exempt from the Tree Conservation Ordinance in the rewrite of the LDO. It was agreed that his amendment should be in the form of a separate motion.

Chair Knowles moved to vote based on the revisions discussed, seconded by Mr. Forde. The Commission voted unanimously 7-0 in favor of the motion. (Ayes: Knowles, Stover, Robertson, Suggs, Forde, Snowden, Deaton. Nays: None.)

Relative to Dr. Snowden's second friendly amendment previously mentioned, Ms. Suggs moved to recommend to City Council that the Advisory Commission on Trees has a concern that single family, two family, and multifamily homes (8 units or fewer) remain exempt from the Tree Conservation Ordinance in the rewrite of the LDO, seconded by Mr. Forde. The Commission voted unanimously 7-0 in favor of the motion. (Ayes: Knowles, Stover, Robertson, Suggs, Forde, Snowden, Deaton. Nays: None.)

**ADJOURN:**

Dr. Snowden moved to adjourn the meeting, seconded by Mr. Forde. The Commission voted unanimously in favor of the motion.

There being no further discussions before the Commission, the meeting ended at 5:15 p.m.

Respectfully submitted,

Tim Knowles, Chairman  
Advisory Commission on Trees

TK/sm:jd